

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
FAMILY AND CHILDREN SERVICES**

Tuesday, September 27, 2005

9:00 a.m.

Room 327 House Office Building

The House Standing Committee on Family and Children Services was called to order by **Representative Stahl**, Chair.

MEMBERS PRESENT: Representatives Stahl, Pearce, Vander Veen, Hoogendyk, Sheen, Clack, Spade, Polidori and Lemmons, Jr.

MEMBERS ABSENT/EXCUSED: None.

Representative Spade moved to adopt the minutes of the **September 20, 2005** meeting. The motion was supported by **Representative Vander Veen**. There being no objection, the motion prevailed by unanimous consent.

Chairman Stahl laid **HB 5100** before the committee:

HB 5100 Jones	Family law; parental rights; military parental custody rights; clarify.
---------------	---

Representative Vander Veen moved to adopt the substitute (**H-1**) to **HB 5100**. The motion was supported by **Representative Lemmons, Jr.**

The motion prevailed by a vote of **8-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Stahl, Pearce, Vander Veen, Hoogendyk, Clack, Spade, Polidori and Lemmons, Jr.,

Nays: None,

Pass: None.

TESTIMONY

Representative Rick Jones, sponsor of HB 5100, explained his bill to the committee.

Joseph McNeilly, an Army National Guardsman, testified in support of the bill.

Dr. Gianina Cazan-London, a United States Army Reserve Officer, testified in support of the bill.

Kent Weichman, representing the Family Law Section of the State Bar, testified in opposition to the bill.

James Semerad, representing the DADS of Michigan (PAC), testified in support of the bill.

Cana Garrison, from Representative Rick Jones' office, testified in support of the bill.

Susan Thorman, representing the Friend of the Court, testified indicating no official position on the bill.

Deena Bosworth, representing the Office of the Attorney General, submitted a card in support of the bill and did not wish to speak.

Representatives Polidori, Vander Veen, and Hoogendyk offered the following amendments to **HB 5100 (H-1)**:

1. Amend page 2, line 10, after "**MEANS**" by striking out the balance of the sentence and inserting "**WHEN A RESERVE UNIT MEMBER OR NATIONAL GUARD UNIT MEMBER IS CALLED INTO ACTIVE MILITARY DUTY.**".

2. Amend page 3, line 8, after "**NOT**" by striking out the balance of the sentence and inserting "**CONSIDER A PARENT'S SEPARATION FROM HIS OR HER CHILD DUE TO MILITARY SERVICE WHEN MAKING A BEST INTEREST OF THE CHILD DETERMINATION.**".

3. Amend page 5, line 14, after "**SERVICE,**" by striking out the balance of the subdivision and inserting "**AN ESTABLISHED CUSTODIAL ENVIRONMENT WITH THAT PARENT SHALL NOT BE DESTROYED DURING THAT MILITARY SERVICE.**".

Representative Sheen moved to adopt the amendments. The motion was supported by **Representative Lemmons, Jr.**

The motion prevailed by a vote of **9-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Stahl, Pearce, Vander Veen, Hoogendyk, Sheen, Clack, Spade, Polidori and Lemmons, Jr.,

Nays: None,

Pass: None.

Representative Polidori moved to report **HB 5100** with recommendation, as substitute (**H-2**). The motion was supported by **Representative Hoogendyk**.

The motion prevailed by a vote of **9-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Stahl, Pearce, Vander Veen, Hoogendyk, Sheen, Clack, Spade, Polidori and Lemmons, Jr.,

Nays: None,

Pass: None.

There being no further business to come before the committee, the Chair adjourned the meeting at 10:28 a.m.

Representative John Stahl, Chair
House Standing Committee on Family and Children Services
Malika Abdur-Rashid
Committee Clerk
517-373-7256
1 Hour 28 minutes